

Bruno 2002-0149

Remarks

Consideration of newly-presented claims 9-16 is respectfully requested.

In the Office action dated April 12, 2007, the Examiner objected to and rejected all pending claims under 35 USC §§ 112 first and second paragraphs and 103(a). In response, applicants have cancelled pending claims 1-8 and now present claims 9-16 for examination.

These newly-added claims are considered to address the Examiner's objections and claim rejections under 35 USC § 112, first and second paragraphs. Applicants request the Examiner to review the newly-added claims and find them to now be in condition for allowance.

Applicants believe that the new claims, as presented, are allowable over the art of record inasmuch as none of the references, either singly or in combination, describe an arrangement where a "modem-less" Telnet manageable device is able to communicate with a help desk workstation via a Telnet protocol. This invention addresses the need in the art for a person manning a help desk to communicate with an individual having computer problems such as a modem failure (i.e., "modem-less" device). Paragraph [0009] of the pending application states: "the main object of the invention is to achieve a method and to provide a system wherein a user workstation includes a Telnet proxy function enabling a Telnet connection between a Telnet client and a remote device not provided with a modem". Paragraph [0019] goes on to state: "[t]herefore, a user on the help desk workstation 100 can reach the PC 110 via the PSTN 130, and then the proxy function in host 110 allows to telnet the remote device 120 to solve problems when the device 120 cannot be reached from the WAN Network side".

Bruno 2002-0149

35 USC § 103(a) Rejection – Claims 1-4 and 8

The Examiner first rejected claims 1-4 and 8 under 35 USC 103(a) as being unpatentable over Benayoun et al. (US Pub. No. 2001/005476) in view of Westfield (US Patent 6,470,390). In the rejection, the Examiner stated that: “it would have been obvious to one of ordinary skill in the art at the time of the invention to combine the teachings of Benayoun and Westfield in order to utilize the structure of Benayoun in order to carry out remote login functions across heterogeneous networks utilizing a well known protocol, Telnet”.

In response, applicants assert that the teaching of Benayoun is limited to an arrangement for retrieving information from a remote server connected only to a circuit-switched network, using a proxy server including a table of IP address information. The proxy server identifies the IP address of the remote server, uses this IP address information to set up a non-permanent connection to the proper server (e.g., web server 403 of Benayoun), retrieve the desired information and then “releasing” the non-permanent connection. There is no information transmitted from the initiating web browsing device (user interface 402 of Benayoun) to the remote server, nor is there disclosed or suggested any need for a two-way communication path to be established between user interface 402 and web server 403.

As described in the *Background of the Invention* section of the Westfield patent, the Telnet protocol “can be used to access a host computer on a network different from that of the user of the protocol. TELNET establishes the session with the host, and then provides terminal emulation for the user of the protocol to allow the communication from the user to appear to the host as a local terminal”. Inasmuch as this type of “local host emulation” is not needed or contemplated in the arrangement of Benayoun, applicants cannot agree with the Examiner’s conclusion that it would be obvious to use the structure of Benayoun to “carry out remote login functions”, since there is no provision for two-way communication (as necessary for emulation) in the structure of Benayoun.

Based on the above, therefore, applicants believe that newly-presented claims 9-12 and 16 are allowable over the combination of Benayoun and Westfield. Independent claim 9 defines the “data transmission system” as including a “proxy means connected to the

Bruno 2002-0149

data processing device for completing a first Telnet connection through the PSTN with the help desk workstation and for establishing a second, concurrent Telnet connection with the Telnet manageable device upon receiving a request from the help desk workstation". No such "first" and "second" concurrent Telnet connections are contemplated by the combination of Benayoun and Westfield. The Examiner is thus requested to review this rejection in light of newly-presented claims 9-12 and 16, finding these claims to be in condition for allowance.

35 USC § 103(a) Rejection – Claim 7

The Examiner next rejected claim 7 under 35 USC 103(a) as being unpatentable over Benayoun and Westfield (as applied to claim 1), in further view of Heircourt (US Pub. No. 2001/0023451). Newly-presented claim 15 contains substantially the same subject matter as cancelled claim 7.

Regardless of the teaching of Heircourt, applicants assert that the basic combination of Benayoun and Westfield lacks the teaching of claim 9 (from which claim 15 depends) regarding the need for and establishment of a pair of Telnet connections for two-way communication between a help desk and a remote modem-less device. Applicants thus also request the Examiner to reconsider this rejection and find claim 15 to be allowable over the combination of Benayoun, Westfield and Heircourt.

In summary, applicants have cancelled pending claims 1-8 and are presenting a new set of claims 9-16 which are considered to better define the subject matter of the present invention and provide sufficient distinction between the claimed subject matter and the teachings of the cited references. Applicants believe that the case, in its present form, is now in condition for allowance and respectfully requests an early and favorable response from the Examiner in that regard. If for some reason or other the Examiner does not agree

Bruno 2002-0149

that the case is ready to issue and that an interview or telephone conversation would further the prosecution, the Examiner is invited to contact applicant's attorney at the telephone number listed below.

Respectfully submitted,

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